

IN THE DISTRICT COURT OF THE UNITED STATES§
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

LINDA LAGER,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 1:19-cv-1075-JTA
)	
ANDREW SAUL,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

Pending before the court is the Commissioner of Social Security's Unopposed Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) With Reversal and Remand of the Cause to the Defendant. (Doc. No. 13.) In his memorandum supporting his motion, the Commissioner states remand is appropriate so the agency can "further evaluate the medical opinion evidence in accordance with the regulations, re-assess Plaintiff's residual functional capacity, proceed through the sequential evaluation process," make the appropriate findings "based on the updated record," "take any further action to complete the administrative record," and "issue a new decision." (Doc. No. 14.)

Sentence four of 42 U.S.C. § 405(g) authorizes the district court to "enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). The district court may remand a case to the Commissioner for a rehearing if the court finds "either . . . the decision is not supported by

substantial evidence, or . . . the Commissioner or the ALJ incorrectly applied the law relevant to the disability claim.” *Jackson v. Chater*, 99 F.3d 1086, 1092 (11th Cir. 1996).

Here, the court finds reversal and remand necessary as the Commissioner concedes reconsideration and proper application of governing law and further development of the record is in order. Moreover, Plaintiff does not oppose the motion. (Doc. No. 13.) Further, pursuant to 28 U.S.C. § 636(c)(1) and Rule 73 of the Federal Rules of Civil Procedure, the parties have consented to the full jurisdiction of the undersigned United States Magistrate Judge. (Docs. No. 7, 8.)

Accordingly, it is hereby

ORDERED that the Commissioner’s motion (Doc. No. 13) is GRANTED.

It is further

ORDERED, for the reasons set forth in the motion (Doc. No. 13) and in this Order, the decision of the Commissioner is hereby REVERSED and this case is hereby REMANDED to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

A separate final judgment will issue.

DONE this 2nd day of June, 2020.

/s/ Jerusha T. Adams
JERUSHA T. ADAMS
UNITED STATES MAGISTRATE JUDGE